

STATE OF NEW MEXICO  
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT  
OIL CONSERVATION DIVISION

ORIGINAL

IN THE MATTER OF THE HEARING CALLED  
BY THE OIL CONSERVATION DIVISION FOR  
THE PURPOSE OF CONSIDERING:

CASE NO. 14759

AMENDED APPLICATION OF COG-OPERATING, LLC,  
TO INCREASE WELL DENSITY AND PRE-APPROVAL OF  
NON-STANDARD LOCATIONS IN THE BURCH KEELY FEDERAL  
UNIT, EDDY COUNTY, NEW MEXICO,

REPORTER'S TRANSCRIPT OF PROCEEDINGS

EXAMINER HEARING

DOCKET NO. 36-11

BEFORE: TERRY G. WARNELL, Hearing Examiner  
DAVID K. BROOKS, Legal Examiner

DECEMBER 15, 2011

Santa Fe, New Mexico

This matter came on for hearing before the  
New Mexico Oil Conservation Division, TERRY G. WARNELL,  
Hearing Examiner, and DAVID K. BROOKS, Legal Examiner,  
on THURSDAY, DECEMBER 15, 2011, at the New Mexico  
Energy, Minerals and Natural Resources Department, 1220  
South Street Francis Drive, Room 102, Santa Fe,  
New Mexico.

REPORTED BY: Lisa Reinicke  
PAUL BACA PROFESSIONAL COURT REPORTERS  
500 Fourth Street, NW, Suite 105  
Albuquerque, NM 87102

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A P P E A R A N C E S

For the Applicant:

HOLLAND & HART  
 110 North Guadalupe, Suite 1  
 Santa Fe, New Mexico 87501  
 (505) 988-4421  
 By: Michael H. Feldewert

I N D E X

PAGE

CERTIFICATE OF COMPLETION OF HEARING

6

EXHIBITS

MARKED/IDENTIFIED

18. Affidavit of Publication

4

19. Affidavit of Confirmation

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1 EXAMINER WARNELL: Case 14759, amend the  
2 application of COG Operating, LLC to increase well  
3 density and pre-approval of non-standard locations in  
4 the Burch Keely Federal Unit, Eddy County, New Mexico.

5 Call for appearances.

6 MR. FELDEWERT: Mr. Examiner, Michael  
7 Feldewert with the Santa Fe office of Holland & Hart  
8 appearing on behalf of the applicant. I do not have a  
9 witness here today. I just have two additional exhibits  
10 to offer the Division in order to address a notice issue  
11 that arose when this case was heard in November.

12 EXAMINER BROOKS: Now this is the case that  
13 was heard on --

14 EXAMINER WARNELL: On the 10th, yes.

15 EXAMINER BROOKS: Okay. Go ahead.

16 MR. FELDEWERT: Mr. Examiner, at the prior  
17 hearing the division requested that we readvertise, we  
18 amend the application that was addressed at that hearing  
19 to more completely incorporate the relief that was  
20 testified to at that hearing. And then secondly to  
21 provide additional notice to the Bureau of Land  
22 Management.

23 So what I'm offering here today is, in order to  
24 keep it sequentially, Exhibit COG 18, which is an  
25 affidavit of publication for the amended application

1 that was filed, and then COG Exhibit Number 19 is the  
2 affidavit confirming that notice of this hearing and a  
3 copy of the amended application was provided to the  
4 operators affected here as well as the Bureau of Land  
5 Management.

6 And with that, with this additional notice, the  
7 case, we believe, is ready to be taken under advisement  
8 for purposes of considering the exceptions that have  
9 been advertised and that were testified to at the  
10 November hearing.

11 EXAMINER WARNELL: Very well. Exhibits 18  
12 and 19 will be admitted.

13 Questions, Mr. Brooks?

14 [Exhibits 18 and 19 admitted.]

15 EXAMINER BROOKS: No questions. I would  
16 assume that we will take case number 14759 under  
17 advisement.

18 EXAMINER WARNELL: Case number 14759 will be  
19 taken under advisement.

20 EXAMINER BROOKS: I also assume I will write  
21 that one.

22 EXAMINER WARNELL: Well, we can get that on  
23 the record, and I have the file here. So with that then  
24 that includes docket 36-11, and we stand adjourned until  
25 next year.

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MR. FELDEWERT: Thank you.

[Case 14759 taken under advisement.]

I do hereby certify that the foregoing is  
a complete record of the proceedings in  
the Examiner hearing of Case No. \_\_\_\_\_  
heard by me on \_\_\_\_\_, Examiner  
\_\_\_\_\_  
Oil Conservation Division

## REPORTER'S CERTIFICATE

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I, Lisa Reinicke, New Mexico Provisional Reporter, License #P-405, working under the direction and direct supervision of Paul Baca, New Mexico CCR License #112, Official Court Reporter for the US District Court, District of New Mexico, do hereby certify that I reported the foregoing proceedings in stenographic shorthand and that the foregoing pages are a true and correct transcript of those proceedings and was reduced to printed form under my direct supervision.

I FURTHER CERTIFY that I am neither employed by nor related to any of the parties or attorneys in this case and that I have no interest whatsoever in the final disposition of this case in any court.

*Lisa Reinicke*

Lisa R. Reinicke,  
Provisional License P-405  
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Ex count: